

MINUTES
GREEN BAY PLAN COMMISSION
Monday, November 26, 2012
City Hall, Room 604
6:00 p.m.

MEMBERS PRESENT: M. Conard–Chair, L. Queoff–Vice-Chair, S. Bremer, T. Gilbert, J. Reck, and T. Duckett

MEMBERS EXCUSED: J. Wiezbiskie

OTHERS PRESENT: R. Strong, P. Neumeyer, N. Sparacio, Ald. M. Steuer, C. Naumann, E. Schwenker, D. Kroetz, J. Vaness, T. Dennison, Ald. D. Boyce, D. Drews, B. Mach, W. Zhang, D. Goben, A. Schuette

APPROVAL OF MINUTES:

Approval of the minutes from the October 22, 2012, Plan Commission meeting

A motion was made by T. Gilbert and seconded by L. Queoff to approve the minutes from the October 22, 2012, Plan Commission meeting. Motion carried.

COMMUNICATIONS:

1. Request by Ald. Steuer for a 30-day waiting period for razing structures in Green Bay

Ald. Mark Steuer explained that in addition to being an alderperson, he is also involved with the Brown County Trust for Historic Preservation and President for the Brown County Historical Society. He feels too many buildings are coming down quickly. He would like to see a 30-day waiting period on the razing of structures. Some structures might have to be demolished anyway, but at least there would be ample time to come up with another alternative to razing the structures if necessary. Interested parties would be able to assess the situation and see if there is historic value to the buildings.

Christopher Naumann said the current process for razing structures literally takes \$140 for the permit and ten minutes if the building is not listed by the Historic Preservation Commission as a building of concern. People can instantly begin the razing process. The streamlining process does not help a historically-threatened project. The 30-day period would help with interested parties' due diligence towards doing anything but demolishing the property. There is reason to believe that there are properties in Green Bay on the radar that could be threatened.

T. Duckett asked what the definition of historical concern is. C. Naumann said there is cultural significance, which means the building has served some function or has held historical events or someone of prominence has stayed there in the past. The building might also contain unique construction or style that might be endangered. Those are the primary criteria. A building could be significant depending on many different criteria.

Ald. Steuer said the Brown County Trust is putting together a list of like-minded people who have particular skill sets such as working on stained glass. Citizens will be able to contact specialists from this database to work on projects at their home to maintain historical value.

J. Reck asked if anyone was aware of opposition to the 30-day waiting period. C. Naumann said he hasn't heard of any. Ald. Steuer said owners of the Speakeasy began gutting the building before they obtained the razing permit. Once the permit was obtained, the building was demolished immediately.

R. Strong explained that if the Historic Preservation portion of the Zoning Ordinance is to be amended, the request has to go to the Law Department.

Ald. Steuer asked how many buildings are demolished per year. R. Strong said 50-60 per year; approximately 12 per year are condemned by the City.

A motion was made by S. Bremer and seconded by T. Gilbert to refer the request for a 30-day waiting period for razing structures in Green Bay to the Law Department. Motion carried.

OLD BUSINESS:

None

NEW BUSINESS:

Item #6 was discussed prior to Items #2-#5. Items #2-#5 were then taken in consecutive order.

6. (ZP 12-52) Discussion and action on a request for a Conditional Use Permit (CUP) to authorize a semi-public use in a Public Institutional (PI) District located in the 2900 block of Saint Anthony Drive. The proposed semi-public use is 82 units of supportive housing for veterans. The proposed structures will also exceed the height limitation in the PI district, and the request is submitted by Cardinal Capital Management, petitioner. (Ald. Boyce, District 7)

N. Sparacio gave the staff report and recommendation. He explained that this item is in Ald. Wiezbiskie's District 1, not in District 7 as presented on the agenda. The proposed project is also adjacent to Ald. Moore's District 4. Both correct alderpersons were notified of this item. N. Sparacio explained the surrounding zoning and land uses, as well as the Comprehensive Plan for this area.

The proposed project is 82 units of veterans' supportive housing. That breaks out into 52 permanent units of housing for veterans and another 30 units of proposed future apartments of transitional housing for veterans (Phase II). What is being considered for construction at this time is the 52-unit stage (Phase I). N. Sparacio described the parties involved in the proposed development and the additional steps involved in the project timeline relative to housing vouchers and tax credits. Because this is tied to a tax credit application, all zoning approvals need to be in hand by mid-January, so the timeline is on track so far. The applicants and staff have worked to involve the public and other stakeholders along the way. The Schmitt Park Neighborhood Association has been involved, and the applicant has visited the Association three times in the last year. Staff has not received any comments or objections on the project since notice was provided.

The written staff report provides an analysis of the proposed use and the site. There are some negatives and some positives with the site, but in total, staff believes that this represents a positive opportunity to add a beneficial type of housing to the community that would not otherwise exist. The staff report includes a set of recommended conditions of approval to address concerns raised by the neighborhood association, as well as some concerns that staff has with the site. These recommended conditions are a work in progress, and staff will present a modified recommendation at this time based on continued discussions with the developer. Staff recommends approval of the Conditional Use Permit subject to the following:

- a) This Conditional Use Permit authorizes 52 units of veterans housing defined by or consistent with applicant's tax credit application to Wisconsin Housing and Economic Development Authority

(WHEDA). The conditions of approval shall be no more restrictive than those set forth by WHEDA and shall establish a preference for filling the units with veterans and include the presence of supportive programming. There shall be no expansion of the use without Plan Commission and City Council approval.

- b) This Conditional Use Permit also acknowledges the future plans for 30 units of veterans' transitional housing as an integral component of the site. Implementation of the transitional housing is subject to necessary approvals including Plan Commission and City Council approval of the operational plan and conceptual building plan at such time that the future phase moves forward.
- c) Compliance is required with all applicable regulations of the Green Bay Municipal Code, including site plan approval and necessary building and demolition permits.
- d) Development of the site (including drives, parking areas, paths, and building construction) shall be consistent with the general intent of the conceptual site plan and building rendering provided to the Plan Commission. Minor modifications are expected, but significant changes are subject to approval by the Plan Commission and City Council.
- e) It should be understood that there are additional development requirements contained in the Zoning Code that will apply to this site. This includes requirements for landscaping, lighting, trash enclosure screening, and the like.
- f) This Conditional Use Permit approval is subject to final agreement between the developer and the Brown County Housing Authority as to the allocation of project-based housing vouchers.
- g) This Conditional Use Permit approval is subject to disposition of the land by Brown County and approval of a land division to facilitate conveyance of the parcel.
- h) The height of the building is approved consistent with the conceptual rendering.

The Planning Department recommends that further planning for this area be revisited by the Plan Commission in six months to report on progress. Brown County and the City of Green Bay should work cooperatively to advance an updated area development plan for the county farm property.

T. Duckett wanted clarification on who exactly could move into these units. He questioned if a person has to be a veteran and if this is a form of Section 8 housing. N. Sparacio said this is affordable housing for veterans. There are income qualifications and housing vouchers associated with it. If for some reason those units don't fill up with veterans, they would have to go to other eligible people. However, this is not expected as the demand for veterans' housing is not likely to be fully met by this facility.

T. Duckett said veterans themselves don't qualify unless they have low income status as well. N. Sparacio thinks that is correct but suggested that this be confirmed by the applicant.

S. Bremer wanted clarification that the building would be three stories in the front facing the road and questioned how the height will compare to the mental health center. N. Sparacio said that is correct. The property slopes downward to the north, and the rear of the building could actually have a fourth story – the underground parking partially above grade. The old mental health center sits higher in the landscape but is two stories above grade.

S. Bremer asked how the building fits in with the surrounding single-family homes in the area and how the 35-foot limitation relates to the three-story that is conceptually planned for the front. N. Sparacio stated that the conceptual design includes a hip roof. He believes it will be close to 35 feet and wanted to include the height exception just in case it was an issue in the final design.

Erich Schwenker addressed the Commission on behalf of the applicants. This is being built in partnership with the Center for Veterans Issues which has been in existence for over 40 years. There

are many reasons for veterans struggling when returning from war; it is more than mental and physical disability. There is a real impact on the issue of separation from their family lives. There are about 55,000 disabled veterans in Wisconsin. Maybe 10,000 have serious housing problems. The Center built in Milwaukee, which is the same amount of units and has the same players involved, was rented completely in one month since being built. Over 100 applications were received upon opening. There is a constant waiting list of at least 60-70 applicants. Current residents of the facility average in age between 38 and 78 years old. Most are Vietnam veterans. All were honorably discharged. There are 50 men and 2 women. It is anticipated that there will be more women as the years go by. Income levels run between \$12,000 to \$13,000. Veterans are normally in the transitional portion of the facility which caps at two years. The applicant intends to preserve the trail and the grove of trees in the area for the property in Green Bay.

Joel Vaness from Abacus Architects spoke about the path. The neighborhood likes to use the property. It is their intention to run a path down the stream. The pond will be sized for future development in the area. The parking shows 23-26 stalls with 30 stalls underground. The building is three stories with underground parking. The site slopes down towards the stream. Closely-matched stone will be used, as well as plank siding. There is a 4:12 pitch roof that slopes gently with a large overhang. The rooms are one-bedrooms, about 550 square feet each.

M. Conard asked if there will be a socializing area. J. Vaness said there is some space for socializing like a community room. There will also be a conference room and a few offices.

J. Reck asked what the square footage was for the total building. He wondered how much space will be used for administration of the facility as opposed to actual housing. The applicants responded about 52,000 square feet with the parking area included. The parking area is about 13,500. These are not efficiency units but properly-sized one-bedroom apartments. Administrative functions should be in less than 10% of the entire usable space. WHEDA insists on a variety of uses, such as a library, fitness room, great room, etc.

J. Reck asked what the guidelines were for a veteran to apply for this housing. J. Vaness said they would have to be income-qualified. Veterans receive preference.

S. Bremer said transportation is listed under the services provided. The location is about a mile and a half from a supermarket or drug store. She asked the applicants if they are prepared and expecting to provide basic shuttle service to residents. J. Vaness said that is what they are planning. He is not expecting even half of the residents to have vehicles. There is a bus line on the property.

L. Queoff asked how the 52 units would be filled – if preferences would be given to residents of Brown County. J. Vaness said the veteran status is the largest factor. They do not have to be residents. Applications are reviewed on a first-come, first-served basis.

R. Strong said the condition regarding the housing vouchers from the Brown County Housing Authority is well on its way to being complete. The two projects that this company has done in Green Bay have been great quality, and the applicants have always cooperated very well.

S. Bremer is concerned about the lack of sidewalks in the area with the trail being located on the property. She worries there will be a lot of pedestrian trespassing on others' properties to access the trail and questioned the options of establishing this trail as part of the proposed project and accessing it in a fairly straight line to avoid public relations and safety issues. N. Sparacio said lack of sidewalks is important and should be incorporated into the City's future plan. Staff would continue to work with stakeholders and residents in the area.

S. Bremer asked if the motion could include the following language at the end of the last paragraph, “with special attention to transportation services and pedestrian infrastructure needs resulting from the increase in residential and social services density.” N. Sparacio feels this addition would be very beneficial and that it should stay a separate part of the motion because the lettered conditions are directed towards the developers.

S. Bremer was also wondering if there was any way for the Plan Commission to urge the provision of the Section 8 housing vouchers for the project as a separate paragraph in the motion.

A motion was made by T. Duckett and seconded by S. Bremer to approve the Conditional Use Permit (CUP) to authorize a semi-public use in a Public Institutional (PI) District located in the 2900 block of Saint Anthony Drive. The proposed semi-public use is 52 units of supportive housing for veterans. The proposed structures will also exceed the height limitation in the PI district. Approval is subject to the conditions recommended by staff (a through h listed above) with the following additions:

The Plan Commission further recommends that planning for this area be revisited in six months to report on progress. Brown County and the City of Green Bay should work cooperatively to advance an updated area development plan for the county farm property with special attention to transportation services and pedestrian infrastructure needs resulting from the increase in residential and social services density. The Green Bay Plan Commission urges the provision of the Section 8 housing vouchers for the project.

Motion carried.

2. (ZP 12-48) Discussion and action on a request to rezone 139 and 145-151 N. Ashland Avenue from Low Density Residential (R1) to Varied Density Residential (R3) submitted by Tim Dennison, NeighborWorks Green Bay, property owner (Ald. Warner, District 9)

P. Neumeyer gave the staff report and recommendation. There are a variety of uses in the area – multi-family, single-family, and two-family. The area is zoned Low Density Residential west of Ashland and then Office Residential to the east. Because the properties will be combined, they should have the same zoning. Recently the property owner expanded the parking lot. The site has two existing buildings with a total of 18 units. Affected property owners, alderpersons, and the Fort Howard Neighborhood Association were notified of the request. Property owner Sandra Goudreau, 127 N. Ashland Avenue, expressed the following concerns in an email to P. Neumeyer, which was distributed to the Commissioners:

Hello! This email is in response to the rezoning request for 139 and 145-151 N. Ashland Avenue. My property in which I reside in is nearby these addresses, therefore I would like you to take my concerns into consideration while you decide on this request. I have resided at 127 N. Ashland since 1995 and for the most part it has been a quiet neighborhood. I would like it to stay this way. I would like the request to be denied leaving it as a low density property because for me that low density translates into low problems!! There is also an alley to which I and my neighbors use to access our homes and once again the low density zoning translates into less alley traffic. Thank you for your consideration!

P. Neumeyer stated that he met with Ms. Goudreau and felt her concerns were more related with traffic than the zoning of the property. Staff's recommendation is to approve the rezoning request from Low Density Residential to Varied Density Residential.

S. Bremer wanted to clarify that there is no increase in residency density, but that the buildings would basically remain as they are and the rezone would provide more parking space for them.

P. Neumeyer said that was correct. There is a parking deficiency.

L. Queoff asked if P. Neumeyer satisfied the resident's concern about traffic.

P. Neumeyer said her questions seemed better directed towards the Traffic Engineer or perhaps the alderpersons. Her concerns lie with cars coming down the alley and feels any zoning change will increase the traffic. It may increase slightly because of the expanded parking.

L. Queoff asked if the trees were being removed on the vacant property. Tim Dennison said they are not.

A motion was made by L. Queoff and seconded by T. Duckett to approve the request to rezone 139 and 145-151 N. Ashland Avenue from Low Density Residential (R1) to Varied Density Residential (R3). Motion carried.

3. (ZP 12-49) Discussion and action on a request for a Conditional Use Permit (CUP) to allow a surface parking lot as the principal use of the property at 314 and 324 N. Chestnut Avenue submitted by On Broadway, Inc., petitioner (Ald. Boyce, District 7)

N. Sparacio gave the staff report and recommendation. This request includes two different parcels with the same proposed land use because they will be managed together as a unit. The zoning in the area is primarily Downtown with Public Institutional to the west. Downtown zoning does allow for a parking lot to be a primary use of the property with Plan Commission and City Council approval through a Conditional Use Permit. The proposed project is to repave and landscape the existing parking lot to the north and to construct a new parking lot to the south. The two parking lots would not be connected at this time, but the larger goal for the area is to have interconnected parking in the future. On Broadway, Inc. would like to provide some much needed parking and would manage both parking lots. On Broadway owns the lot to the north, and the Redevelopment Authority is the primary owner of the lot to the south. There is a small strip of the south lot that has been conveyed to the Glass Nickel Pizza Company.

This proposal is tied to the redevelopment project on the corner of Chestnut Avenue and Dousman Street. Glass Nickel Pizza is planning to refurbish the building into a new restaurant with apartments above. In the adjoining parking lot, there will be a mix of leased spaces that are assigned to specific businesses and apartment tenants, as well as parking that is available for general customers and visitors to the district. There is a need for more parking in the area, especially on this block.

N. Sparacio explained why a CUP is necessary for surface parking in the Downtown and Broadway Districts. There will be an ongoing tension between the need for parking and the desire to utilize limited real estate for the highest and best uses. The risk of having too much parking is that it takes away from the potential for building mass, density, and tax base in these areas. Small, well-landscaped surface lots are a good complement to structured parking in these areas. The proposed project is a small lot that can be completed in a very aesthetically pleasing way to benefit the district. The minimum zoning standards would not require any landscaping or green space within these parking areas, but because

this is something the City and On Broadway are involved in, there is a desire to do something attractive. The applicant has addressed the landscaping as shown on the conceptual plan. There is currently very limited lighting in the area, and staff sees an immediate need to add more lighting due to authorized overnight parking for the apartments.

Notice was provided to affected property owners and Alderman Boyce. No concerns or objections were raised to staff. Staff's recommendation is to approve the Conditional Use Permit subject to the conditions in the staff report.

Dann Drews, owner of 313 N. Broadway since 2003, addressed the Commission. There have been ongoing issues with customers of other businesses parking in his lot which is well-signed. He pays taxes to the City for the parking lot; it is insured and maintained. He questioned if the valet parking lots are taxed by the City. C. Naumann responded that they currently do not pay.

D. Drews commends staff for working on the downtown parking issues but stated there still will not be enough parking even after these changes are made.

C. Naumann explained there is a landlocked corner just south of the properties with no access to off-street parking. This proposal does open up a level of parking that should take some pressure away from this corner. Once this parking facility is constructed and used, it will be easier to establish a parking policy for the area.

S. Bremer asked what is happening between Glass Nickel and Chefusion. C. Naumann said there is one vacant three-story building. The House of Home Brew is one of the oldest buildings in the district approximately two doors down from this property. They built a new façade. That facility is occupied. The skinny building is currently being renovated for a store and some apartments. Parking spaces will be allotted for this property as it becomes occupied.

A motion was made by T. Gilbert and seconded by J. Reck to approve the Conditional Use Permit (CUP) to allow a surface parking lot as the principal use of the property at 314 and 324 N. Chestnut Avenue subject to the following conditions:

- a) Compliance is required with all applicable regulations of the Green Bay Municipal Code, including site plan approval and necessary building permits.
- b) The parking lots shall be paved and striped and shall include either curbing or wheel blocks for each stall.
- c) The layout and landscaping of the parking lot shall be generally consistent with the conceptual plan and shall include, as shown, decorative elements along N. Chestnut Avenue, an end-of-row landscape island along the alley in the southern parking row, and a tree planting buffer along the north property line.
- d) An exterior lighting plan shall be submitted with the site plan. Lighting shall be provided through one or more freestanding or building mounted fixtures of quality design. Flood lighting is not permitted.
- e) Lighting for parking and access to the residential units is the highest priority. Lighting shall be provided for 314 N. Chestnut Avenue concurrent with the construction of the parking lot. Lighting shall be provided for 324 N. Chestnut within one year of Conditional Use approval.

Motion carried.

4. (ZP 12-50) Discussion and action on the request to authorize a Conditional Use Permit (CUP) for a two-family dwelling in a Low Density Residential (R1) District located at 1301 Crooks Street submitted by Wobin Zhang, property owner (Ald. Tim De Wane, District 4)

P. Neumeyer gave the staff report and recommendation. The area is generally zoned Low Density Residential. The Comprehensive Plan calls for Low Density Residential. There are a number of single- and two-family dwellings. This is a former three-family unit. There are some building code issues that are currently being worked out with the Inspection Department. The applicant would like to turn this structure into a two-family unit. Staff notified affected property owners. There is sufficient parking onsite. Staff has not received any calls or concerns. Staff recommends approval with two conditions:

- a) Necessary permits being obtained by the property owner/representative to complete the code compliant work; and
- b) Compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit.

L. Queoff commented that there doesn't seem to be sufficient parking onsite. All of the other homes in the area have concrete driveways, and it seemed as though the Irwin Street side was grass.

P. Neumeyer said it is a small lot but there is room for two spaces. There are remnants of an old driveway and is non-conforming at this point.

S. Bremer wanted to know if the Plan Commission can require site alterations with granting the CUP to bring the property into compliance.

P. Neumeyer said the Commissioners could consider asking the applicant to resurface the property, but that might create some hardship for him from a setback perspective. He might need a variance. If the Plan Commission decided to require paving, P. Neumeyer suggested including it as a separate condition of approval.

L. Queoff said both sides of the dwelling, one facing Irwin Street and one facing Crooks Street, are labeled with the same 1301 house number.

P. Neumeyer thinks it might be a numbering mistake. It should only be 1301 Crooks Street.

Wobin Zhang, 1212 Swan Court – The dwelling is a three-family unit, one upper and two lower units. He would like to convert the lower to one unit so there is one upper and one lower unit. There is no common area. Both driveways are gravel-covered.

M. Conard complimented the applicant on the exterior of the building. W. Zhang said this work was completed before he purchased the property.

L. Queoff said there is a lot of grass growing through the gravel on the Irwin Street parking area. All of the neighbors have concrete driveways.

S. Bremer understands that requiring paving of the driveway might, in turn, require a variance from the Board of Appeals due to the proximity of the driveway to the lot line. She asked W. Zhang if financially he could pave the driveway if a variance was granted. W. Zhang would prefer to cover the existing grass with more gravel.

S. Bremer said the Plan Commission would be more comfortable if the parking space was delineated more specifically such as with additional gravel.

M. Conard explained the goal of the City is to reduce the number of two-family structures and convert them into single-family homes. She does not want to enforce that in this case because the exterior has

been redone and looks very attractive. However, if the applicant purchases more properties in the City, he should be aware of what might be expected with those properties in the future.

A motion was made by L. Queoff and seconded by S. Bremer to approve the Conditional Use Permit (CUP) for a two-family dwelling in a Low Density Residential (R1) District located at 1301 Crooks Street subject to the following conditions:

- a) Necessary permits being obtained by the property owner/representative to complete the code compliant work;
- b) Compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit; and
- c) Delineate parking area on Irwin Street side with additional gravel.

Motion carried.

5. (ZP 12-51) Discussion and action on a request to rezone 610 and 622 Bellevue Street and 1586 and 1592 E. Mason Street from General Commercial (C1) District to Highway Commercial (C2) District submitted by Dan Goblen, tenant, Dan Goblen Cars (Ald. Tim De Wane, District 4)

P. Neumeyer gave the staff report and recommendation. Three parcels are part of the rezoning and would be combined into one. There are currently single-family homes at 610 and 622 Bellevue Street that are currently non-conforming under the C1 District. They will be removed for additional parking. If the request is approved, the existing used car dealership would then become compliant. The Comprehensive Plan recommends Commercial zoning for this area. Staff has notified affected property owners with a few informational calls taken on the request. Staff recommends approval of the request to rezone the properties from General Commercial to Highway Commercial.

T. Duckett asked if the back portion of the building will be remodeled in any way after the homes are removed.

Dan Goblen, 1592 E. Mason Street – He would like to install a window or sliding glass door.

S. Bremer thinks the door would make sense in order to access the back parking areas.

R. Strong said that might be the back of the building now but it will become a second front. Visually it might be better to aesthetically change the face of the building on that side.

M. Conard suggested some landscaping might dress up that side a bit as well.

D. Goblen leases the commercial building and one house now. He will end up leasing both houses and will be responsible for their removal and the paving of the lot afterwards.

A motion was made by S. Bremer and seconded by L. Queoff to rezone 610 and 622 Bellevue Street and 1586 and 1592 E. Mason Street from General Commercial (C1) District to Highway Commercial (C2) District. Motion carried.

OTHER:

Director's Update on Council Actions

R. Strong said the City Council will only meet once in December and once in January. There will be no Plan Commission meeting in December unless necessary and would be scheduled at that time. The next Plan Commission meeting will be January 7, 2013.

SUBMITTED PETITIONS: (for informational purposes only)

None

A motion was made by L. Queoff and seconded by S. Bremer to adjourn. Motion carried.

Meeting adjourned at 7:51 p.m.